UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BARCROFT MEDIA, LTD.,

Plaintiff,

-against
FASHION IN ME INC.

Defendant.

X

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DOC #:
DATE FILED:
7/25/18

16 Civ. 7574 (LGS)

ORDER

X

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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on May 10, 2017, default judgment was granted against Defendant;

WHEREAS, by separate order dated May 10, 2017, this matter was referred to Magistrate Judge Debra C. Freeman for an inquest on damages;

WHEREAS, Plaintiff timely filed proposed findings of fact and conclusions of law, and briefing in support thereof; and Defendant did not file materials in opposition;

WHEREAS, on June 5, 2018, Judge Freeman issued a Report and Recommendation on an inquest on damages to award \$10,610 in statutory damages and \$7,745 in attorneys' fees and costs to Plaintiff;

WHEREAS, Plaintiff filed an affidavit on June 28, 2018, attesting that the Report and Recommendation was served upon Defendant on June 25, 2018;

WHEREAS, no timely objection was filed;

WHEREAS, "[i]n reviewing an R & R of a magistrate judge, a district judge "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). A district judge is required to "make a *de novo* 

determination upon the record, or after additional evidence, of any portion of the magistrate

judge's disposition to which specific written objection has been made" by any party. Fed. R.

Civ. P. 72(b). "But, where no timely objection has been made, the 'district court need only

satisfy itself that there is no clear error on the face of the record' to accept the R & R." J & J

Sports Prod., Inc. v. El Ojo Aqua Corp., No. 13 Civ. 6173, 2014 WL 4699704, at \*1 (E.D.N.Y.

Sept. 22, 2014) (quoting *Urena v. New York*, 160 F. Supp. 2d 606, 609–10 (S.D.N.Y. 2001)).

WHEREAS, the Court finds no clear error on the face of the record. It is hereby

**ORDERED** that the Report and Recommendation is adopted, confirmed and approved in

all respects.

The Clerk of Court is respectfully directed enter a default judgment in favor of Plaintiff

and against Defendant in the amount of \$10,610 in statutory damages and \$7,745 in attorneys'

fees and costs. Upon entry of Judgment against Defendant, the Clerk of Court is directed to

close this case.

Dated: July 25, 2018

New York, New York

UNITED STATES DISTRICT JUDGE

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